

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION,)
v.)
Plaintiff,)
SHUANG CHEN, et al.) No. 19-cv-12127-WGY
Defendants.)
WEIGUO GUAN, et al.)
Relief Defendants.)

)

**JOINT MOTION TO MODIFY PRELIMINARY INJUNCTION AS TO
WV FORREST INVESTMENTS, LLC**

Plaintiff Securities and Exchange Commission (the “Commission”) and Relief Defendant WV Forrest Investments, LLC (“WV Forrest”) jointly move the Court to modify the preliminary injunction and asset freeze as to WV Forrest to permit WV Forrest to withdraw limited funds to pay bills and other expenses during the pendency of the related criminal proceedings against defendant Jiali Wang. As grounds for this motion, the parties state:

1. WV Forrest owns two multi-family rental properties located at 19 Elmwood Park and 27 Elmwood Park, Quincy, Massachusetts, and each property currently has multiple units occupied by tenants.
2. On November 8, 2021, defendant Jiali Wang filed an assented-to motion to stay proceedings against WV Forrest based on his ownership of the entity (Dkt. No. 173), and on November 10, 2021, the Court granted the motion, staying the proceedings against WV Forrest for 14 days. Dkt. No. 175.

3. On December 1, 2021, the Court indicated the case against WV Forrest would administratively closed, but subject to reopening at a later date, such as once the related criminal proceedings against Jiali Wang were resolved.

4. Accordingly, in order to allow WV Forrest to continue to pay its bills and other expenses during the pendency of the related criminal proceedings against Jiali Wang, the parties respectfully request the Court modify Section VII, Paragraphs A and B of the preliminary injunction and asset freeze (Dkt. No. 57) as to WV Forrest as follows:

1. WV Forrest is permitted to spend \$9,000 per month for electricity, maintenance, cleaning, trash removal, insurance, property taxes, water and sewer, and other expenses associated with the maintenance of the two properties owned by WV Forrest Investments at 19 Elmwood Park and 27 Elmwood Park, Quincy, Massachusetts. These expenditures, whether by debit card, ACH transfer, electronic bill pay system, or ATM withdrawal, may be made only from the Citizens Bank account ending in 2273.
2. Citizens Bank is authorized to release the funds described in subparagraph 1 above on the schedule described there. Citizens Bank is not required to monitor the withdrawals from the account ending in 2273 to ensure compliance with this Order. WV Forrest is required to promptly provide monthly statements to the Commission for the account ending in 2273 after the end of each month to demonstrate its compliance with this Order.
3. WV Forrest is permitted to return the security deposits held in the Citizens Bank accounts ending in 0407, 0415, 0423, 0431, 0458, 0466, 0482, 1190, 1204, 1212, and 1220 upon request of any of the tenants 19 Elmwood Park

and 27 Elmwood Park, Quincy, Massachusetts. After returning the security deposit(s) held in any of the aforementioned Citizens Bank accounts, WV Forrest is permitted to close the account(s) from which the security deposit(s) have been returned.

4. Citizens Bank is authorized to release the funds described in subparagraph 3 above upon the circumstances described there. Citizens Bank is not required to monitor the withdrawals from the accounts ending in 0407, 0415, 0423, 0431, 0458, 0466, 0482, 1190, 1204, 1212, or 1220 to ensure compliance with this Order. If any withdrawals are made from the account(s) ending in 0407, 0415, 0423, 0431, 0458, 0466, 0482, 1190, 1204, 1212, or 1220, WV Forrest must provide the Commission with proof that the withdrawal(s) made were at the request of a tenant of 19 Elmwood Park or 27 Elmwood Park, Quincy, Massachusetts.
5. WV Forrest is permitted to open new accounts at Citizens Bank in the name of WV Forrest for the sole purpose of holding security deposit(s) of new tenant(s) at 19 Elmwood Park and 27 Elmwood Park, Quincy, Massachusetts. Upon the request of any tenant for which an account at Citizens Bank has been opened to hold a security deposit, WV Forrest is permitted to return the security deposit(s) and after returning the security deposit(s) held in any of the aforementioned Citizens Bank account(s), WV Forrest is permitted to close the account(s) from which the security deposit(s) have been returned.
6. Citizens Bank is authorized to release the funds described in subparagraph 5 above upon the circumstances described there. Citizens Bank is not required

to monitor the withdrawals from the accounts described in subparagraph 5 to ensure compliance with this Order. If withdrawals are made from accounts referenced in subparagraph 5, WV Forrest must provide the Commission with proof that any withdrawal made was at the request of a tenant of 19 Elmwood Park or 27 Elmwood Park, Quincy, Massachusetts.

7. Vicky Liu is permitted to withdraw up to \$25,000 for purposes of paying state and federal taxes on any distributions from WV Forrest that were attributable to her by mistake but which she did not receive directly or indirectly. These expenditures, whether by debit card, ACH transfer, electronic bill pay system, check, or ATM withdrawal, may be made only from the Citizens Bank account ending in 2273.
8. Vicky Liu is permitted to make monthly withdrawals of \$1,500 as payment for the management services she provides for WV Forrest's properties at 19 Elmwood Park and 27 Elmwood Park, Quincy, Massachusetts. These expenditures, whether by debit card, ACH transfer, electronic bill pay system, check, or ATM withdrawal, may be made only from the Citizens Bank account ending in 2273.
9. Citizens Bank is authorized to release the funds described in subparagraphs 7 and 8 of this Order on the schedule described there. Citizens Bank is not required to monitor the withdrawals from the account ending in 2273 to ensure compliance with this Order.

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION
By its attorneys,

/s/ Andrew Palid

Eric A. Forni (Mass Bar No. 669685)
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WV Forrest Investments, LLC
By its attorney,

/s/ Maksim Nemtsev

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Dated: December 9, 2021

Certificate of Service

I, Andrew Palid, certify that on December 9, 2021, a true and correct copy of the Joint Motion to Modify Preliminary Injunction as to WV Forrest was filed through the Court's CM/ECF system and, accordingly, the document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. In addition, all defendants and relief defendants were served by email either directly, or through counsel, at addresses attributed to them.

Dated: December 9, 2021

//s// Andrew Palid
Andrew Palid